

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Kothakota (Mandal) Ramanpad (Village) – Nettampad (Village) - O.P.No.2/1997 - Sanction of decretal charges of **Rs.32,43,922/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 841

DATE:31.10.2009

Read:

From the Secy.to CCLA, AP, Hyderabad Lr.No.G1/1487/2009, dt:19.10.09 along with the proposal of the Special Collector (LA) Bheema Project, Mahabubnagar District dt:17.09.2009.

O R D E R:

The Secy.to CCLA, AP, Hyderabad has informed that the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.2/1997 pertaining to Ramanpad (Village) Kothakota (Mandal) of Mahabubnagar District. The then Special Deputy Collector, LA, PJP, Gadwal had acquired the land to an extent of Ac.115.18 gts of land for the purpose of submergence of Okkasetty Vagu Project situated in the limits of Ramanpad (V) by fixing the market value @Rs.16,000/- for Cat-I, Rs.10,000/- for Cat-II, @Rs.12,000/- for Cat-III, @Rs.2,000/- for Cat-IV & V vide Award No.14/90, dt:10.08.1990. Aggrieved with the market value awarded by the LAO, the awardees have filed petition U/s.18 (1) of the L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Wanaparthy had delivered the judgment on 24.04.2000 by enhancing the market value from Rs.16,000/-, Rs.10,000/-, Rs.12,000/-, Rs.2,000/- to Rs.31,000/- for Cat-I to V. Aggrieved by the orders of the Sr.Civil Judge, Wanaparthy, the SDC has filed an appeal in the Hon'ble High Court of A.P, Hyd. The Hon'ble H.C of A.P, hyd granted interim orders dt:20.06.2002 for payment of half of the decretal charges. Accordingly, an amount of Rs.10,85,525/- was sanctioned and deposited in the Court of Sr.Civil Judge, Wanaparthy on 05.11.2003. Finally, the Hon'ble H.C of A.P, Hyd in its judgment dt:29.04.2009 has dismissed the appeal filed by the SDC, LA, PJP, Gadwal by confirming the lower court orders.

- 2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.32,43,922/- (Rupees Thirty two lakhs forty three thousand nine hundred and twenty two only)** in respect of O.P.No.2/1997 pertaining to Ramanpad (V) Kothakota (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

3) The expenditure sanctioned in para (2) ante, shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (26) – Dams and Appurtenant works – 530 – Major works 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.4052/F2(2)/2009-1, dated:21.10.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.24911/LA.III(A2)/2009

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER